

AMENDMENT  
Serial No. 09/656,896

FR919990112US1  
June 24, 2004

**REMARKS**

Claims 1-7, 9-17 and 19-44 remain in this application. Claims 1-4, 9, 14-20, 23-34, 37 and 42-44 are rejected. Claims 5-6, 10-13, 21-22, 35-36 and 38-41 are objected to but are indicated to be allowable if rewritten in independent form. Claims 1, 9-13, 16, 20-22, 24-26, 29, 31, 37, 39 and 40 are amended herein. No new material has been added.

Claims 24-26 are rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular the Examiner found insufficient antecedent basis in "the step of receiving a request for a client system" as formerly recited in claim 24. Partially responsive thereto, claim 24 has been amended herein. Reconsideration and withdrawal of the rejection of claims 24-26 under 35 U.S.C. §112 is respectfully solicited.

Claims 1-4, 9, 14-20, 23, 27-34, 37 and 42-44 are rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,094,731 to Waldin. Claims 1 and 31, as amended, recite, "determining whether a virus-free certificate satisfies said virus-free certificate requirements;" which the applicants believe is neither shown nor suggested by Waldin or any other reference of record. Accordingly, amended claims 1 and 31 are believed to be patentable. Claims 9 and 37, as amended, recite, "determining whether a virus-free certificate is requested for the file;" which the applicants believe is neither shown nor suggested by Waldin or any other reference of record. Accordingly, amended claims 9 and 37 are believed to be patentable. Further, since the dependant claims include all of the differences from the references, as the independent claims from which they depend; claims 2-4, 14-20, 23, 27-30, 32-34 and 42-44 are believed to be patentable. Reconsideration and withdrawal of the rejection of claims 1-4, 9, 14-20, 23, 27-34, 37, and 42-44 under 35 U.S.C. §102(e), is respectfully solicited.

As noted herein above, claims 5-6, 10-13, 21-22, 35-36, and 38-41 have been objected to as being dependant upon a rejected base claim. However, believing to have

AMENDMENT  
Serial No. 09/656,896

FR919990112US1  
June 25, 2004

overcome the rejection of independent claims 1, 9, 31 and 37 from which the objected to claims depend, claims 5-6, 10-13, 21-22, 35-36, and 38-41 are believed to be allowable. Therefore, the applicants respectfully request that the examiner reconsider and withdraw the objection to claims 5-6, 10-13, 21-22, 35-36, and 38-41.

The applicants thank the Examiner for efforts, both past and present in examining the application. Believing the application to be in condition for allowance, both for the amendment to the claims and for the reasons set forth above, the applicants respectfully request that the examiner reconsider and withdraw the objection to claims 5-6, 10-13, 21-22, 35-36, and 38-41, reconsider and withdraw of the rejection of claims 1-4, 9, 14-20, 23-34, 37, and 42-44 under 35 U.S.C. §102(e) and allow the application to issue.

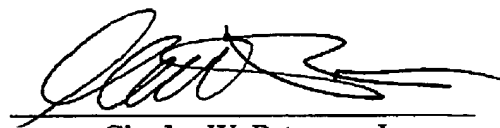
Should the Examiner believe anything further may be required, the Examiner is requested to contact the applicants undersigned attorney the local telephone number listed below for a telephonic or personal interview to discuss any other changes.

Please charge any deficiencies in fees and credit any overpayment of fees to IBM Corporation Deposit Account No. 50-0510 and advise us accordingly.

Respectfully Submitted,

June 25, 2004  
(Date)

Customer No. 33233  
Law Office of Charles W. Peterson, Jr.  
P.O. Box 710627  
Oak Hill, VA 20171  
Telephone: (703) 481-0532  
Facsimile: (703) 481-0585



Charles W. Peterson, Jr.  
Registration No. 34,406